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Remarks:

Regarding the objection to claim 12:

Claim 12 has been amended to address and correct the misspelling of "composition"

Regarding the rejection of claims 1-11, and 23 under 35 USC 112, 2nd paragraph:

The applicant has amended the objected to claims in order to remove the "and/or" terms, and has replaced these with the alternative "or". Reconsideration of the propriety of the rejection, and withdrawal of the same is respectfully requested.

Regarding the rejection of claims 1-4, 6, 8-15, 17 and 19-24 in view of US 6391840 to Thompson, et al.

The applicant respectfully traverses the rejection of the claims in view of the currently amended claim presented herein.

As currently amended, independent claims 1, 12 23 and 24 now specifically require that the first aqueous composition "(a)" is a composition "consisting essentially of" hydrogen peroxide. As is recognized by the current jurisprudence, the transitional phrase "consisting essentially of" limits the scope of a claim to the specified materials or steps "and those that do not materially affect the basic and novel characteristic(s)" of the claimed invention. *In re Herz*, 537 F.2d 549, 551-52, 190 USPQ 461, 463 (CCPA 1976) A review of the Thompson compositions reveals that key to his "partial composition" which comprises a peroxygen bleach compound is the necessary inclusion of at least one imine or oxaziridine bleach activator compound, and that at least one other of his "partial compositions" comprises an alkaline pH adjusting compound. See Thompson, col. 3, lines 61 – 67. The necessary presence of the at least one imine or oxaziridine bleach activator compound is clearly the gist of Thompson's inventive compositions, as reduced product performance would result, thus undermining the technical benefit of Thomson's compositions. Thus, the inclusion of the at least one imine or oxaziridine bleach activator compound is clearly crucial.

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As currently amended it is believed that the term "consisting essentially of" relative to the hydrogen peroxide containing compositions "(a)" according to the applicant's invention is not required, and thus the applicant's presently claimed invention is believed to be both novel and inventive over the Thompson compositions.

Accordingly, reconsideration of and withdrawal of the outstanding rejection is respectfully requested.

Regarding the rejection of claims 5, 7, 16 and 18 under 35 USC 103(a) over US 6391840 to Thompson, further in view of US 6294186 to Beerse or US 6494920 to Wenthen:

The applicant respectfully traverses the rejection of the dependant claims, 5, 7, 16 and 18 in view of the primary reference to Thompson, further in view of the secondary references to Beerse and/or Wenthen.

At the outset, the applicant points out as discussed *supra*, that the presently amended claims are believed to be patentably distinguishable over the primary reference to Thompson. In view of the foregoing, it is the applicant's view that the Examiner's reliance on the secondary references does not in any case overcome the deficiencies of the primary Thompson reference, as at best, the Beerse and Wenthen references may suggest the further inclusion of certain further constituents but when properly combined with the Thompson reference, would at best suggest to possibly include further constituents to Thompson's compositions which would necessarily require at least one "partial composition" which comprises a peroxygen bleach compound with at least one imine or oxaziridine bleach activator compound. Such peroxygen bleach "partial compositions" necessarily comprising at least one imine or oxaziridine bleach activator compound is now excluded from the applicant's claims. Accordingly, the Examiner's suggested combination of the Thompson, Beerse and Wenthen references would necessarily result in patentably distinguishable compositions than those which are now claimed.

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Accordingly, reconsideration of the propriety of the present rejection and its withdrawal is respectfully requested.

Should the Examiner in charge of this application believe that communication with the undersigned will favorably advance the prosecution of this application, they are invited to contact the undersigned at their convenience.

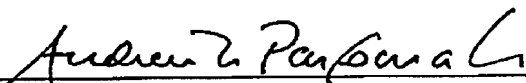
Petition for a One-Month Extension of Time

The applicants respectfully Petition for a one-month extension of time in order to permit for the timely entry of this response. The Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263 with respect to this Petition.

Conditional Authorization for Fees

Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, including any necessary extension of time petition and fee, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263.

Respectfully Submitted;



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Date: